

GLENN MCGOURTY
1st District
Supervisor
Vice-Chair

**MAUREEN
MULHEREN**
2nd District
Supervisor

JOHN HASCHAK
3rd District
Supervisor

DAN GJERDE
4th District
Supervisor

TED WILLIAMS
5th District
Supervisor
Chair



DARCIE ANTLE
Chief Executive Officer/
Clerk of the Board

CHRISTIAN M. CURTIS
County Counsel

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MENDOCINO COUNTY BOARD OF SUPERVISORS

ACTION MINUTES – October 4, 2022

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF MENDOCINO - STATE OF CALIFORNIA
FAIR STATEMENT OF PROCEEDINGS
(PURSUANT TO CALIFORNIA GOVERNMENT CODE §25150)**

AGENDA ITEM NO. 1 – OPEN SESSION (PLEDGE OF ALLEGIANCE AND ROLL CALL 9:00 A.M.)

Present: Supervisor Glenn McGourty, Supervisor Maureen Mulheren, Supervisor John Haschak, Supervisor Dan Gjerde, and Supervisor Ted Williams. Chair Williams presiding.

Staff Present: Darcie Antle, Chief Executive Officer; Christian M. Curtis, County Counsel; Atlas M.A. Pearson, Senior Deputy Clerk of the Board; and Kim Saylor, Deputy Clerk of the Board.

The Pledge of Allegiance was led by: Darcie Antle.

AGENDA ITEM NO. 2 – PUBLIC EXPRESSION

Presenter/s: Garrett James, Emergency Services Specialist; Travis Killmer, Disaster Recovery Field Operations Coordinator; Xuyen Mallela, Principal Administrative Analyst; Mark Donnegan; Tracy Pellar; Sherry Glaser; and Maria Avalos.

AGENDA ITEM NO. 3 – APPROVAL OF CONSENT CALENDAR

Presenter/s: Chair Williams.

Public Comment: None.

Board Action: Upon motion by Supervisor Haschak, seconded by Supervisor Mulheren, IT IS ORDERED that Consent Calendar items 3a) – 3z) are hereby approved as follows. The motion carried by the following vote:

Aye: 5 – Supervisor McGourty, Supervisor Mulheren, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

3A) APPROVAL OF MINUTES OF SEPTEMBER 13, 2022 REGULAR MEETING - SPONSOR: EXECUTIVE OFFICE

Approved;

3B) APPROVAL OF MINUTES OF SEPTEMBER 20, 2022 REGULAR MEETING - SPONSOR: EXECUTIVE OFFICE

Approved;

3C) APPROVAL OF RECOMMENDED APPOINTMENTS/REAPPOINTMENTS - SPONSOR: EXECUTIVE OFFICE

Approved;

1. Maria May, General Representative, First 5 Mendocino; and
2. Julia Krog, Planning and Building Services Director (Ex-Officio), Archaeological Commission of Mendocino County

3D) ADOPTION OF RESOLUTION RENEWING ITS DECLARATION OF A LOCAL EMERGENCY AND EXTENDING THE EXISTENCE OF A LOCAL EMERGENCY DUE TO DROUGHT CONDITIONS AND IMMINENT THREAT OF DISASTER IN MENDOCINO COUNTY - SPONSOR: EXECUTIVE OFFICE

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 22-200

RESOLUTION 22-200

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS RENEWING ITS DECLARATION OF A LOCAL EMERGENCY AND EXTENDING THE EXISTENCE OF A LOCAL EMERGENCY DUE TO DROUGHT CONDITIONS AND IMMINENT THREAT OF DISASTER IN MENDOCINO COUNTY

3E) APPROVAL OF RETROACTIVE AGREEMENT (THIRD AMENDMENT TO AGREEMENT NO. EO-21-43) WITH STRATEGISTS, INC., IN THE AMOUNT OF \$2,405 FOR A NEW AGREEMENT TOTAL OF \$32,405, FOR TRAINING AND TEAM BUILDING SERVICES, EFFECTIVE MARCH 11, 2021 THROUGH A NEW END DATE OF OCTOBER 15, 2022 (ORIGINAL END DATE: JUNE 30, 2022) - SPONSOR: EXECUTIVE OFFICER

Approved and Chair is authorized to sign same;

Enactment No: Interim Agreement 22-239

3F) APPROVAL OF AMENDMENT TO BOS AGREEMENT 20-138 WITH LIEBERT CASSIDY WHITMORE (LCW), EFFECTIVE SEPTEMBER 22, 2021 EXTENDING THE TERMINATION DATE FROM DECEMBER 31, 2021 TO DECEMBER 31, 2022 FOR LITIGATION SERVICES FOR HOWE V COUNTY OF MENDOCINO - SPONSOR: EXECUTIVE OFFICE

Approved and Chair is authorized to sign same;

Enactment No: Agreement 20-138-A3

3G) APPROVAL OF APPOINTMENTS-IN-LIEU OF ELECTIONS FOR THE NOVEMBER 8TH, 2022 STATEWIDE GENERAL ELECTION; AND AUTHORIZATION OF ADDITIONAL APPOINTMENTS OF QUALIFIED PERSONS BE MADE FOR THOSE DISTRICTS THAT DID NOT HAVE THE SUFFICIENT NUMBER OF CANDIDATES - SPONSOR: ASSESSOR/CLERK-RECORDER

Approved;

3H) APPROVAL OF RETROACTIVE AGREEMENT WITH HUMBOLDT STATE UNIVERSITY IN THE AMOUNT OF \$206,730, FOR THE BEHAVIORAL HEALTH MENTORED INTERNSHIP PROGRAM, EFFECTIVE AUGUST 16, 2022 TO SEPTEMBER 29, 2023 - SPONSOR: BEHAVIORAL HEALTH AND RECOVERY SERVICES

Approved and Chair is authorized to sign same;

Enactment No: Agreement 22-240

3I) RATIFICATION OF SUBMISSION OF GRANT APPLICATION IN THE AMOUNT OF \$500,000 FOR FUNDS AVAILABLE FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES HEALTH RESOURCES AND SERVICES ADMINISTRATION TO PRODUCE CHANGES IN COMMUNITY CULTURE, POLICY, AND ENVIRONMENT TO ELIMINATE ADDICTION RELATED DEATHS, FOLLOWING BOTH HARM REDUCTION PRACTICES AND THE COMMUNITIES THAT CARE™ MODEL FOR THE TERM OF JULY 1, 2022 THROUGH AUGUST 31, 2025 - SPONSOR: BEHAVIORAL HEALTH AND RECOVERY SERVICES

Approved;

3J) APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH MENDOCINO COUNTY RESOURCE CONSERVATION DISTRICT IN THE AMOUNT OF \$6,000 ANNUALLY, EFFECTIVE UPON DATE OF EXECUTION OF AGREEMENT FOR THE SHARED USE OF THE MUSEUM’S INTERACTIVE ROOM TO DELIVER EDUCATIONAL CONTENT TO THE COMMUNITY - SPONSOR: CULTURAL SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 22-241

3K) ADOPTION OF RESOLUTION ESTABLISHING CULTURAL SERVICES AGENCY RECORDS RETENTION SCHEDULE PURSUANT TO CALIFORNIA GOVERNMENT CODE § 26202 - SPONSOR: HUMAN RESOURCES

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 22-201

RESOLUTION 22-201

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADOPTING RECORDS RETENTION SCHEDULE FOR THE MENDOCINO COUNTY CULTURAL SERVICES AGENCY

3L) APPROVAL OF RIGHT OF ENTRY AGREEMENT FOR MENDOCINO COUNTY FIRE SAFE COUNCIL’S (MCFSC) ACCESS TO CONDUCT CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”) REVIEW PERTAINING TO THE WILDFIRE MITIGATION FUEL REDUCTION PROJECT WITHIN MENDOCINO COUNTY’S FAULKNER PARK, LOCATED IN BOONVILLE, CALIFORNIA - SPONSOR: GENERAL SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 22-242

3M) ADOPTION OF RESOLUTION AMENDING POSITION ALLOCATION TABLE AS FOLLOWS: TRANSFER POSITION NUMBER 4398 (PAYROLL MANAGER), 4525, AND 4526 (ACCOUNTANT-AUDITOR II-CONF) FROM AUDITOR-CONTROLLER BUDGET UNIT 1110 TO EXECUTIVE OFFICE BUDGET UNIT 1020 - SPONSOR: HUMAN RESOURCES

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 22-202

RESOLUTION 22-202

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AMENDING THE POSITION ALLOCATION TABLE PROVIDING THE NUMBER AND COMPENSATION OF OFFICERS, DEPUTIES AND EMPLOYEES IN THE VARIOUS OFFICES OF THE COUNTY OF MENDOCINO

3N) ADOPTION OF RESOLUTION APPROVING PAY RANGE REVISION OF THE FOLLOWING CLASSIFICATION: AGRICULTURE COMMISSIONER/SEALER OF WEIGHTS AND MEASURES FROM \$116,292.80 - \$141,377.60/ANNUALLY TO \$122,657.60 - \$149,094.40/ANNUALLY - SPONSOR: HUMAN RESOURCES

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 22-203

RESOLUTION 22-203

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AMENDING THE POSITION ALLOCATION TABLE PROVIDING THE NUMBER AND COMPENSATION OF OFFICERS, DEPUTIES AND EMPLOYEES IN THE VARIOUS OFFICES OF THE COUNTY OF MENDOCINO

3O) APPROVAL OF AGREEMENT WITH SIMPLER SYSTEMS, INC. IN THE AMOUNT OF \$70,000 FOR ENTERPRISE LICENSING FOR THE SIMPLER FOR AUMENTUM GENERAL INQUIRY DATAPPS, MAINTENANCE, AND RELATED PROFESSIONAL SERVICES FOR IMPLEMENTATION, EFFECTIVE UPON FULL EXECUTION THROUGH SEPTEMBER 30, 2023 - SPONSOR: INFORMATION TECHNOLOGY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 22-243

3P) APPROVAL OF THE MENDOCINO COUNTY EMPLOYEES RETIREMENT ASSOCIATION (MCERA) REGULATIONS OF THE BOARD OF RETIREMENT - SPONSOR: MENDOCINO COUNTY EMPLOYEES RETIREMENT ASSOCIATION

Approved;

3Q) AUTHORIZATION OF THE ISSUANCE OF ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT NO. CDP_2022-0003 (RUSSELL) TO CONSTRUCT A 543 SQUARE FOOT SINGLE-FAMILY RESIDENCE, SEPTIC SYSTEM, WATER STORAGE TANK, AND VEGETATION REMOVAL OF 15± TREES; LOCATED AT 44001 COMPTCHE UKIAH RD., MENDOCINO, APN: 119-410-20 - SPONSOR: PLANNING AND BUILDING SERVICES

Approved;

3R) ADOPTION OF RESOLUTION FINDING THAT STATE AND LOCAL OFFICIALS CONTINUE TO RECOMMEND MEASURES TO PROMOTE SOCIAL DISTANCING IN CONNECTION WITH PUBLIC MEETINGS - SPONSOR: PUBLIC HEALTH

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 22-204

RESOLUTION 22-204

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MENDOCINO FINDING THAT STATE OR LOCAL OFFICIALS CONTINUE TO RECOMMEND MEASURES TO PROMOTE SOCIAL DISTANCING IN CONNECTION WITH PUBLIC MEETINGS

3S) RATIFICATION OF SUBMISSION OF GRANT APPLICATION TO THE CALIFORNIA DEPARTMENT OF SOCIAL SERVICES FOR THE CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO KIDS (CALWORKS) HOME VISITING PROGRAM (HVP) GRANT, AND AUTHORIZATION FOR THE PUBLIC HEALTH DIRECTOR TO ACCEPT FUNDS IF GRANTED, AND EXECUTE THE RESULTING GRANT ALLOCATION AGREEMENT, IN THE AMOUNT OF \$254,008, TO IMPLEMENT THE PUBLIC HEALTH CALWORKS HVP, EFFECTIVE JULY 1, 2022 THROUGH JUNE 30, 2024; AND RETROACTIVE APPROVAL OF MEMORANDUM OF UNDERSTANDING, INCLUDED IN THE GRANT APPLICATION, BETWEEN MENDOCINO COUNTY PUBLIC HEALTH AND MENDOCINO COUNTY SOCIAL SERVICES CALWORKS, IN THE AMOUNT OF \$0, OUTLINING THE RESPONSIBILITIES FOR THE OPERATION OF THE PUBLIC HEALTH CALWORKS HVP - SPONSOR: PUBLIC HEALTH

Approved and Chair is authorized to sign same;

Enactment No: Agreement 22-244

3T) APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF MENDOCINO, AND OTHER CITIES, FIRE DISTRICTS, COMMUNITY SERVICES DISTRICTS, AND STATE AGENCIES, IN THE AMOUNT OF \$0, TO FORM A COOPERATIVE MULTI-AGENCY UNIT KNOWN AS THE REDWOOD EMPIRE HAZARDOUS INCIDENT TEAM, TO PROVIDE TECHNICAL SERVICES BEYOND THE FIRST RESPONDER LEVEL, AND DECONTAMINATION AT THE SCENE OF HAZARDOUS MATERIALS INCIDENTS WITHIN MENDOCINO COUNTY, EFFECTIVE UPON FULL EXECUTION THROUGH JANUARY 31, 2025 - SPONSOR: PUBLIC HEALTH

Approved and Chair is authorized to sign same;

Enactment No: Agreement 22-245

3U) RATIFICATION OF GRANT AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH (FIRST AMENDMENT TO STATE AGREEMENT NO. 19-10342) IN THE AMOUNT OF \$150,000 FOR A NEW TOTAL OF \$600,000, TO PROVIDE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM EDUCATION (SNAP-ED) SERVICES IN MENDOCINO COUNTY, EFFECTIVE AUGUST 2, 2019 THROUGH A NEW END DATE OF SEPTEMBER 30, 2023 (ORIGINAL END DATE: SEPTEMBER 30, 2022); AND ADOPTION OF RESOLUTION AUTHORIZING ACCEPTANCE OF THE FULL CDPH SNAP-ED GRANT FOR 2019-2023, AND AUTHORIZING THE PUBLIC HEALTH DIRECTOR TO SIGN FUTURE AMENDMENTS AND RENEWALS ASSOCIATED WITH THE SNAP-ED GRANT THAT DO NOT EXCEED THE MAXIMUM AMOUNT - SPONSOR: PUBLIC HEALTH

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 22-205; Interim Agreement *22-246

RESOLUTION 22-205

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS TO AUTHORIZE MENDOCINO COUNTY, PUBLIC HEALTH TO ACCEPT A CALIFORNIA DEPARTMENT OF PUBLIC HEALTH SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM EDUCATION (SNAP-ED) GRANT FOR NUTRITION EDUCATION AND OBESITY PREVENTION FOR FISCAL YEAR 2019-23; AND TO AUTHORIZE THE MENDOCINO COUNTY PUBLIC HEALTH DIRECTOR TO SIGN ANY FUTURE RENEWALS OR AMENDMENTS ASSOCIATED WITH THE SNAP-ED GRANT

3V) APPROVAL OF SECOND AMENDMENT TO BOARD OF SUPERVISORS AGREEMENT NO. 19-013 WITH KEEFE COMMISSARY NETWORK, LLC IN THE AMOUNT OF \$350,000 FOR A NEW AGREEMENT TOTAL OF \$1,750,000 TO PROVIDE INMATE COMMISSARY SERVICES EFFECTIVE JANUARY 1, 2023 THROUGH DECEMBER 31, 2023 - SPONSOR: SHERIFF-CORONER

Approved and Chair is authorized to sign same;

Enactment No: Agreement 19-013-A2

3W) APPROVAL OF A MEMORANDUM OF UNDERSTANDING FOR COURT SECURITY SERVICES BETWEEN THE SUPERIOR COURT OF CALIFORNIA, THE COUNTY OF MENDOCINO, AND THE MENDOCINO COUNTY SHERIFF, EFFECTIVE UPON FULL EXECUTION THROUGH JUNE 30, 2023 - SPONSOR: SHERIFF-CORONER

Approved and Chair is authorized to sign same;

Enactment No: Agreement 22-247

3X) APPROVAL OF RETROACTIVE FIRST AMENDMENT TO AGREEMENT NO. BOS 21-091 WITH REDWOOD COMMUNITY SERVICES IN THE AMOUNT OF \$375,632, FOR A NEW TOTAL OF \$1,070,824, TO CONTINUE PROVIDING EMERGENCY SHELTER SERVICES NEEDED TO PREVENT, PREPARE FOR AND RESPOND TO CORONAVIRUS AMONG INDIVIDUALS AND FAMILIES WHO ARE EXPERIENCING HOMELESSNESS IN MENDOCINO COUNTY, USING GRANT FUNDS AVAILABLE THROUGH CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR THE EMERGENCY SOLUTIONS GRANT, AS FUNDED BY THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT, EFFECTIVE JANUARY 1, 2021 THROUGH A NEW END DATE OF SEPTEMBER 30, 2023 (ORIGINAL END DATE: JUNE 30, 2022) - SPONSOR: SOCIAL SERVICES

Approved and Chair is authorized to sign same;

Enactment No: Agreement 21-091-A1

3Y) APPROVAL OF RETROACTIVE FIRST AMENDMENT TO AGREEMENT NO. BOS 21-064 WITH MENDOCINO COAST HOSPITALITY CENTER IN THE AMOUNT OF \$93,555, FOR A NEW TOTAL OF \$281,806, TO CONTINUE PROVIDING EMERGENCY SHELTER SERVICES NEEDED TO PREVENT, PREPARE FOR AND RESPOND TO CORONAVIRUS AMONG INDIVIDUALS AND FAMILIES WHO ARE EXPERIENCING HOMELESSNESS IN MENDOCINO COUNTY, USING GRANT FUNDS AVAILABLE THROUGH CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR THE EMERGENCY SOLUTIONS GRANT, AS FUNDED BY THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT, EFFECTIVE JANUARY 1, 2021 THROUGH A NEW END DATE OF SEPTEMBER 30, 2023 (ORIGINAL END DATE: JUNE 30, 2022) - SPONSOR: SOCIAL SERVICES

Approved and Chair is authorized to sign same;

Enactment No: Agreement 21-064-A1

3Z) APPROVAL OF AGREEMENT WITH ARMOROUS SECURITY SERVICES & PRIVATE INVESTIGATIONS IN THE AMOUNT OF \$182,708.00 TO PROVIDE SECURITY GUARD SERVICES AT SOCIAL SERVICES OFFICE LOCATIONS, EFFECTIVE OCTOBER 4, 2022, THROUGH OCTOBER 3, 2023 - SPONSOR: SOCIAL SERVICES

Approved and Chair is authorized to sign same;

Enactment No: Agreement 22-248

AGENDA ITEM NO. 4 – REGULAR CALENDAR

4A) DISCUSSION AND POSSIBLE ACTION INCLUDING PRESENTATION TO THE BOARD OF SUPERVISORS FROM BEHAVIORAL HEALTH AND RECOVERY SERVICES REGARDING STATUS REPORT OF ACTIVITIES RELATED TO THE MENTAL HEALTH TREATMENT ACT CITIZEN'S OVERSIGHT COMMITTEE PROJECTS AND PROGRAMS - SPONSOR: BEHAVIORAL HEALTH AND RECOVERY SERVICES

Presenter/s: Jenine Miller, Director, Behavioral Health and Recovery Services.

Public Comment: Sherry Glaser.

Board Action: Upon motion by Supervisor Haschak, seconded by Supervisor Mulheren, IT IS ORDERED that the Board of Supervisors accepts the Status Report from Behavioral Health and Recovery Services. The motion carried by the following vote:

Aye: 5 – Supervisor McGourty, Supervisor Mulheren, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

4B) DISCUSSION AND POSSIBLE ACTION INCLUDING APPROVAL OF AGREEMENT WITH PUBLIC RISK INNOVATIONS, SOLUTIONS AND MANAGEMENT (PRISM) JOINT POWERS ASSOCIATION FOR MEMBERSHIP IN THE PRISMHEALTH PROGRAM FOR THE PURPOSE OF PURCHASING FULLY FUNDED HEALTH CARE PLANS AND MEMBERSHIP IN THE PRISM EMPLOYEE BENEFITS PROGRAM FOR THE PURPOSE OF PURCHASING A SELF-FUNDED DENTAL PROGRAM AND OTHER FULLY INSURED PROGRAMS AND INSURANCES FOR EMPLOYEES AND THEIR ELIGIBLE DEPENDENTS, ESTIMATED TO BE \$17,894,807 IN CALENDAR YEAR 2023, EFFECTIVE JANUARY 1, 2023 THROUGH DECEMBER 31, 2025 - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Cherie Johnson, Deputy Chief Executive Officer.

Public Comment: None.

Board Action: Upon motion by Supervisor Mulheren, seconded by Supervisor McGourty, IT IS ORDERED that the Board of Supervisors approves Agreement with Public Risk Innovations, Solutions and Management (PRISM) Joint Powers Association for membership in the PRISMHealth Program for the purpose of purchasing fully funded healthcare plans and membership in the PRISM Employee Benefits Program for the purpose of purchasing a self-funded dental program and other fully insured programs and insurances for employees and their eligible dependents, estimated to be \$17,894,807 in calendar year 2023, effective January 1, 2023 through December 31, 2025; allows automatic annual renewals thereafter until such time as the Board directs the Chief Executive Officer or Designee to withdraw from the pool; and authorizes Chair to sign same. The motion carried by the following vote:

Aye: 5 – Supervisor McGourty, Supervisor Mulheren, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

Enactment No: Agreement 22-249

4C) DISCUSSION AND POSSIBLE ACTION INCLUDING INTRODUCTION AND WAIVE FIRST READING OF AN ORDINANCE AMENDING CHAPTERS 2.04, 2.28, 3.16, 8.69, 9.05, 9.40, AND 20.243 OF THE MENDOCINO COUNTY CODE PERTAINING TO THE DUTIES AND RESPONSIBILITIES OF THE CHIEF EXECUTIVE OFFICER AND REPLACING COUNTY CODE REFERENCES TO “HEALTH AND HUMAN SERVICES AGENCY” WITH THE DEPARTMENTS OF BEHAVIORAL HEALTH & RECOVERY SERVICES, PUBLIC HEALTH AND/OR SOCIAL SERVICES - SPONSORS: CHAIR WILLIAMS AND COUNTY COUNSEL

Presenter/s: Charlotte Scott, Assistant County Counsel.

Public Comment: None.

Board Action: Upon motion by Supervisor Haschak, seconded by Supervisor McGourty, IT IS ORDERED that the Board of Supervisors Introduces and Waives First Reading of Ordinance Amending Chapters 2.04, 2.28, 3.16, 8.69, 9.05, 9.40, and 20.243 of the Mendocino County Code Pertaining to the Duties and Responsibilities of the Chief Executive Officer and Replacing County Code References to "Health and Human Services Agency" with the Departments of Behavioral Health & Recovery Services, Public Health and/or Social Services. The motion carried by the following vote:

Aye: 5 – Supervisor McGourty, Supervisor Mulheren, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

4D) DISCUSSION AND POSSIBLE ACTION INCLUDING RECOMMENDATION FROM THE MENDOCINO COUNTY PUBLIC HEALTH DEPARTMENT TO THE MENDOCINO COUNTY BOARD OF SUPERVISORS TO ESTABLISH A PUBLIC HEALTH ADVISORY BOARD - SPONSORS: PUBLIC HEALTH

Presenter/s: Anne Molgaard, Director, Public Health.

Public Comment: None.

Board Directive: GENERAL CONSENSUS OF THE BOARD to direct Assistant County Counsel Scott to revise Article 3 Section 1 of the draft bylaws to include that at least one member of the public from each Supervisorial District be appointed.

CHAIR WILLIAMS DIRECTED THAT THE BOARD WOULD RETURN TO THE ITEM LATER IN THE DAY

4E) DISCUSSION AND POSSIBLE ACTION INCLUDING REVIEW OF RECENTLY APPROVED PLACER COUNTY AMENDMENTS ALLOWING FOR MOVEABLE TINY HOUSES AS ACCESSORY DWELLING UNITS IN THE COUNTY - SPONSORS: SUPERVISOR WILLIAMS

Presenter/s: Chair Williams; and Julia Krog, Director, Planning and Building Services.

Public Comment: Patrick Hickey; Wendy; and Heidi Wordhouse.

Board Action: Upon motion by Supervisor McGourty, seconded by Supervisor Haschak, IT IS ORDERED that the Board of Supervisors direct Planning and Building Services staff to return with recommendations on tiny homes and how they could be incorporated into the housing element. The motion carried by the following vote:

Aye: 5 – Supervisor McGourty, Supervisor Mulheren, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

BOARD RECESS: 10:17 A.M. – 10:30 A.M.

ADJOURNED TO CLOSED SESSION: 10:30 A.M.

- 6A) PURSUANT TO GOVERNMENT CODE SECTION 54957.6 - CONFERENCE WITH LABOR NEGOTIATOR - AGENCY NEGOTIATORS: DARCIÉ ANTLE, CHERIE JOHNSON, AND JON HOLTZMAN; EMPLOYEE ORGANIZATION(S): ALL
- 6B) PURSUANT TO GOVERNMENT CODE SECTION 54957 - PUBLIC EMPLOYEE PERFORMANCE EVALUATION - CANNABIS DIRECTOR
- 6C) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(1) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: GARY MARKLEY V. ROGER BURCH, ET AL. - CASE NO. CASE No. SCUK_CVG-21-75067
- 6D) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(1) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: ONE CASE - MENDOCINO COUNTY SHERIFF MATTHEW KENDALL V. MENDOCINO COUNTY BOARD OF SUPERVISORS - CASE No. 21-CV00561
- 6E) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(2) - CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION: SIGNIFICANT EXPOSURE TO LITIGATION: ONE CASE
- 6F) PURSUANT TO GOVERNMENT CODE SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT - AIR POLLUTION CONTROL OFFICER

RECONVENED IN OPEN SESSION: 3:17 P.M.

AGENDA ITEM NO. 6 – REPORT OUT OF CLOSED SESSION

Presenter: Chair Williams.

Public Comment: None.

Board Action: With respect to agenda items 6a), 6c), 6d), and 6e), no reportable action was taken. With respect to agenda items 6b) and 6f), the items were continued.

THE BOARD RETURNED TO ITEM 4D

- 4D) DISCUSSION AND POSSIBLE ACTION INCLUDING RECOMMENDATION FROM THE MENDOCINO COUNTY PUBLIC HEALTH DEPARTMENT TO THE MENDOCINO COUNTY BOARD OF SUPERVISORS TO ESTABLISH A PUBLIC HEALTH ADVISORY BOARD - SPONSORS: PUBLIC HEALTH

Presenter/s: Anne Molgaard, Director, Public Health.

Public Comment: None.

Board Directive: GENERAL CONSENSUS OF THE BOARD to direct Assistant County Counsel Scott to revise Article 3 Section 1 of the draft bylaws to include that at least one member of the public from each Supervisorial District be appointed.

Board Directive: GENERAL CONSENSUS OF THE BOARD to direct County Counsel to return at the next meeting with two separate consent items regarding the Public Health Advisory Board.

4F) DISCUSSION AND POSSIBLE ACTION INCLUDING DIRECTION TO STAFF TO LIMIT CANNABIS EQUITY PROGRAM(S) TO LEGITIMATE GOVERNMENTAL PURPOSES, INCLUDING ENVIRONMENTAL REMEDIATION, ENCOURAGEMENT OF REGULATORY COMPLIANCE, MITIGATION OF NEGATIVE IMPACTS OF EXISTING INDUSTRY AND VOID ANY PROGRAM ELEMENTS FOUND TO BE IMPERMISSIBLE UNDER FEDERAL LAW - SPONSORS: SUPERVISOR WILLIAMS

Presenter/s: Chair Williams; Kristin Nevedal, Director, Cannabis; and Christian Curtis, County Counsel.

Public Comment: Hannah Nelson; Paul Hansbury; Susan Tibbon; Heidi Wordhouse; Monique Ramirez; Jude Thilman; Xochitl Martinez; Patrick Juan; Mark Thies; Swami; Mark Schafer; Joseph Haggett; Nate Hayward; Ron Edwards; Brandon Parker; David Silverstone; Jim Roberts; Michelle Penaloza; and Patricia Vargas.

Board Action: Upon motion by Supervisor Mulheren, seconded by Supervisor Williams, IT IS ORDERED that the Board of Supervisors directs staff to continue with the process of complying with State of California requirements for the Cannabis Equity Grants; and directs that outside counsel to vet the next round of grant funds. The motion carried by the following vote:

Aye: 4 – Supervisor McGourty, Supervisor Mulheren, Supervisor Gjerde and Supervisor Williams

No: 1 – Supervisor Haschak

Absent: 0 – None

4G) DISCUSSION AND POSSIBLE ACTION INCLUDING DIRECTION TO STAFF REGARDING CANNABIS AD HOC RECOMMENDATIONS; ACCEPTANCE OF FINAL REPORT OUT OF THE CANNABIS AD HOC COMMITTEE; AND DISBANDMENT OF THE CANNABIS AD HOC COMMITTEE - SPONSOR: SUPERVISOR HASCHAK AND SUPERVISOR MCGOURTY

Presenter/s: Supervisor McGourty; Supervisor Haschak; and Kristin Nevedal, Director, Cannabis.

BOARD RECESS: 6:14 P.M. – 6:33 P.M.

Public Comment: Paul Hansbury; Heidi Wordhouse; Monique Ramirez; Hannah Nelson; Susan Tibbon; Michael Katz; Jim Roberts; Maxwell Millick; Michelle Penaloza; and Paul Garza.

Board Directive: GENERAL CONSENSUS OF THE BOARD to direct staff to ensure an expeditious approach to reviewing applications, not get lost in minutia, take actions that don't result in clawback of funds, and be as reasonable as possible.

Board Directive: GENERAL CONSENSUS OF THE BOARD to refer Cannabis Ad Hoc Memo Point 3 to the General Government Standing Committee.

Board Directive: GENERAL CONSENSUS OF THE BOARD to refer Cannabis Ad Hoc Memo Points 8, 9, 11, and 12 to the General Government Committee

Board Action: Upon motion by Supervisor McGourty, seconded by Supervisor Haschak, IT IS ORDERED that the Board of Supervisors provides direction to staff regarding the recommendations from the Cannabis Ad Hoc Committee as discussed during the meeting; accepts the final report out of the Cannabis Ad Hoc Committee; and disbands the Cannabis Ad Hoc Committee. The motion carried by the following vote:

Aye: 5 – Supervisor McGourty, Supervisor Mulheren, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

4H) DISCUSSION AND POSSIBLE ACTION INCLUDING (1) ADOPTION OF A RESOLUTION APPROVING AND ADOPTING AN ADDENDUM TO THE PREVIOUSLY ADOPTED MITIGATED NEGATIVE DECLARATION, IN COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT REQUIREMENTS, FOR AMENDMENTS TO CHAPTER 10A.17 OF THE MENDOCINO COUNTY CODE TO ESTABLISH AN APPEALS PROCESS AND DEFINE DEPARTMENT AS THE CANNABIS DEPARTMENT; AND (2) INTRODUCTION AND WAIVE FIRST READING OF AN ORDINANCE AMENDING CHAPTER 10A.17 - MENDOCINO CANNABIS CULTIVATION ORDINANCE TO ESTABLISH AN APPEALS PROCESS AND DEFINE DEPARTMENT AS THE CANNABIS DEPARTMENT - SPONSOR: COUNTY COUNSEL

DUE TO THE LATE HOUR, THE ITEM WAS CONTINUED TO NOVEMBER 1, 2022.

~~**4I) CHIEF EXECUTIVE OFFICER'S REPORT – SPONSOR: EXECUTIVE OFFICE**~~

Withdrawn.

~~**4J) DISCUSSION AND POSSIBLE ACTION INCLUDING REVIEW, ADOPTION, AMENDMENT, CONSIDERATION OR RATIFICATION OF LEGISLATION PURSUANT TO THE ADOPTED LEGISLATIVE PLATFORM – SPONSOR: EXECUTIVE OFFICE**~~

Withdrawn.

4K) SUPERVISORS’ REPORTS REGARDING BOARD SPECIAL ASSIGNMENTS, STANDING AND AD HOC COMMITTEE MEETINGS, AND OTHER ITEMS OF GENERAL INTEREST

Presenters: Supervisor Haschak

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 7:13 P.M.

Attest: ATLAS M.A. PEARSON
Senior Deputy Clerk of the Board

TED WILLIAMS, Chair

NOTICE: PUBLISHED MINUTES OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS MEETINGS

- Effective March 1, 2009, Board of Supervisors minutes will be produced in “action only” format. As an alternative service, public access to recorded Board proceedings will be available on the Board of Supervisors’ website in indexed audio format
- LIVE WEB STREAMING OF BOARD MEETINGS is now available via the County’s YouTube Channel. If technical assistance is needed, please contact The Mendocino County Executive Office at (707) 463-4441.
- Minutes are considered draft until adopted/approved by the Board of Supervisors
- The Board of Supervisors’ action minutes are also posted on the County of Mendocino website at: www.mendocinocounty.org/government/board-of-supervisors
- To request an official record of a meeting of the Mendocino County Board of Supervisors, please contact the Executive Office at (707) 463-4441
- Please reference the departmental website to obtain additional resource information for the Board of Supervisors and Clerk of the Board: www.mendocinocounty.org/government/board-of-supervisors

Thank you for your interest in the proceedings of the Mendocino County Board of Supervisors